

EXHIBIT J

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to: <i>Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.</i>	15-cv-9903 (GBD) (SN) ECF Case

DECLARATION OF THOMAS J. GROGAN

I, Thomas J. Grogan, pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1. I am more than 18 years of age and competent to testify in court to the matters stated below. The statements made in this Declaration are based upon my personal knowledge unless otherwise indicated.

2. I was a citizen of the United States on September 11, 2001, and I remain so today. Attached as Exhibit A to this Declaration is a true and correct copy of my proof of citizenship.

3. On September 11, 2001, I was present in New York City when the terrorist attacks of the World Trade Center ("WTC") Towers occurred. At the time of these horrific attacks, I worked as a police officer with the Port Authority of New York-New Jersey.

4. At the time of the attacks, I had been scheduled to work on the afternoon of September 11, 2001, as I had just completed an overnight tour of duty on September 10, 2001.

5. On the morning of 9/11, I received a phone call from a friend informing me that a passenger jet had struck the North Tower of the WTC. I contacted my dispatch at the Port Authority Trans-Hudson Corporation (PATH) and Sgt. Holland told me to report for duty as quickly as possible.

6. As I drove my patrol car to PATH, I heard on my radio that a second passenger jet had struck the South Tower. After I arrived at PATH, the South Tower collapsed. Myself and my fellow officers immediately drove to the World Trade Center to provide aid and support to our fellow officers.

7. I arrived at the intersection of West Broadway and Barclay Street, and I ran on foot up Vesey Street towards 5 World Trade Center. Everything in my path had been covered with a thick layer of dust and debris. I went upstairs to the police desk in 5 World Trade Center where I found several people who were requesting assistance. I instructed these people to head down the escalator and to leave the area through the Vesey Street doors.

8. I walked out onto Vesey Street towards West Street. When I arrived at the corner of West and Vesey, I heard a sound similar to rushing water. I looked up and saw that the North Tower had begun to collapse.

9. I ran north on West Street and crossed over Barclay Street in an effort to escape from the massive debris cloud that had formed during the collapse of the North Tower. By the time that I arrived in the middle of the next block, the debris cloud appeared behind me.

10. To avoid being engulfed in the debris cloud, I dove for cover and injured my left shoulder. After the debris cloud rolled over me, the area became quiet. I stood up but I could not see due to the thickness of the debris cloud that had surrounded me. Due to the thickness of the debris cloud, I inhaled large quantities of dust and debris into my lungs and airways and I began to have difficulty breathing. I repeatedly called out to see if there were survivors in distress near me, but no one answered.

11. Due to the zero visibility conditions, I tried to feel my way out of the area to find clean air, but I could not find daylight. I heard a voice yell, "If anyone is alive, I'm over here with

a hose!" I walked in the direction of this voice until I stumbled upon a volunteer firefighter from upstate New York.

12. The firefighter, Rich, had a hose and he washed the debris and dust away from my face. I vomited a few times due to the massive amounts of dust and debris that I had ingested. I stayed under Rich's hose for several seconds and he used the water in an attempt to clean the air so that we could breathe freely.

13. A short time later, a New York Fire Department firefighter found us. We shared a Scott air pack (breathing apparatus) between the three of us as the debris cloud remained so thick that we were unable to see each other's faces.

14. After five additional minutes, the smoke and debris cloud began to dissipate. I walked out of the debris cloud and saw some of my fellow officers. These officers took me to a fire hydrant and helped me with washing the debris from my eyes.

15. I received treatment from Emergency Medical Services team members, and they instructed me to go to the hospital due to the extent of my shoulder and inhalation injuries. I walked to the Holland Tunnel where I secured a ride to St. Mary's hospital for the initial treatment of my 9/11-related injuries.

16. As a result of these terrorist attacks, I suffered the following specific injuries¹ on September 11, 2001: a left shoulder injury that required surgical intervention² and a torn rotator cuff of the left shoulder³. Due to the large quantities of dust, chemicals, and building debris that I inhaled during the above events, I suffer from asthma⁴, chronic sinusitis⁵, chronic rhinitis⁶,

¹ See, 9/11 Injury Records of Thomas J. Grogan (GROGAN_MEDS_0001), attached hereto as Exhibit B, at 0001-0027.

² *Id.* at 0001-0003, 0005-0008, 0016, and 0019-0023.

³ *Id.* at 0001, 0006-0008, and 0021-0023.

⁴ *Id.* at 0001, 0014-0017, and 0019-0020.

⁵ *Id.* at 0013.

⁶ *Id.* at 0010, and 0013.

esophageal reflux with barrettes esophagus⁷, COPD⁸, and obstructive sleep apnea⁹. Many of my physical injuries and conditions from 9/11 have also been confirmed by the Victim Compensation Fund (VCF)¹⁰. Lastly, my doctors diagnosed me with post-traumatic stress disorder¹¹ due to the horrific events that I witnessed on 9/11.

17. I sought and continue to seek medical attention for my injuries caused by these terrorist attacks. Attached as Exhibit B to this Declaration is a true and correct copy of my select relevant medical and injury records related to the treatment that I received for my physical and emotional injuries following the September 11, 2001, terrorist attacks.

18. I previously pursued a claim (VCF0008355) through the September 11th VCF specifically related to my physical injuries incurred on September 11, 2001, and my claim was determined to be eligible for compensation.

I DECLARE, VERIFY AND STATE UNDER PENALTY OF PERJURY that the foregoing is true and correct.

DATED this 27 day of September 2023.


Declarant Thomas J. Grogan

⁷ *Id.* at 0024.

⁸ *Id.* at 0017, 0019, and 0024.

⁹ *Id.* at 0017-0018, 0020, 0022, and 0023-0024.

¹⁰ *Id.* at 0026-0027.

¹¹ *Id.* at 0020-0025.

**EXHIBITS
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